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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 LEO FANNON,

9 Petitioner,

10 v.

11 LISA OLIVER-ESTES,

12 Respondent.

CASE NO. C17-5790 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)  
14 of the Honorable Theresa L. Fricke, United States Magistrate Judge (Dkt. 24), and  
15 Petitioner Leo Fannon’s (“Fannon”) objections to the R&R (Dkt. 25).


16 On May 11, 2018, Judge Fricke issued the R&R recommending that the Court  
17 deny Fannon’s petition on the merits. Dkt. 24. On May 25, 2018, Fannon filed  
18 objections. Dkt. 25.

19 The district judge must determine de novo any part of the magistrate judge’s  
20 disposition that has been properly objected to. The district judge may accept, reject, or  
21 modify the recommended disposition; receive further evidence; or return the matter to the  
22 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

1 In this case, Fannon fails to specifically identify any error in Judge Fricke's R&R.  
2 Instead, Fannon summarily repeats his grounds for relief and asserts in conclusory  
3 fashion that his constitutional rights were violated. Dkt. 25. Judge Fricke thoroughly  
4 addressed each of Fannon's grounds for relief and his requests for additional discovery.  
5 Fannon has failed to identify any error in Judge Fricke's finding and conclusions. The  
6 Court has likewise failed to identify any error. Therefore, the Court having considered  
7 the R&R, Fannon's objections, and the remaining record, does hereby find and order as  
8 follows:

- 9 (1) The R&R is **ADOPTED**;
- 10 (2) Fannon's petition is **DENIED**;
- 11 (3) A Certificate of Appealability is **DENIED**; and
- 12 (4) The Clerk shall enter a **JUDGMENT** and close the case.

13 Dated this 5th day of July, 2018.

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15 BENJAMIN H. SETTLE  
16 United States District Judge  
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